# PRE-APPEAL BRIEF REQUEST FOR REVIEW

| Docket Number (Optional) |
|---|
| 043890-0698 |

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on _____

Signature _____

Typed or Printed Name _____

| Application Number | Filed |
|---|---|
| 10/511,750 | October 19, 2004 |
| First Named Inventor | Daisuke ADACHI |
| Art Unit | Examiner |
| 2879 | RAABE, Christopher M. |

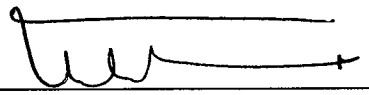
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☐ attorney or agent of record. Registration number _____
- ☒ attorney or agent acting under 37 CFR 1.34. Limited Recognition number if acting under 37 CFR 1.34: L0250



Signature

Babak Akhlaghi

Typed or printed name

202-756-8327

Telephone number

May 28, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 form is submitted.

Docket No.: 043890-0698 **PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|---|---|---|
| In re Application of | : | Customer Number: 53080 |
| Akihiko ISHIBASHI, et al. | : | Confirmation Number: 4944 |
| Application No.: 10/511,750 | : | Group Art Unit: 2879 |
| Filed: October 19, 2004 | : | Examiner: RAABE, Christopher M. |

For: PLASMA DISPLAY PANEL PRODUCING METHOD, AND PLASMA DISPLAY PANEL

## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Pursuant to United States Patent and Trademark Office OG Notices: 12 July 2005 - New Pre-Appeal Brief Conference Pilot Program, a request for a review of identified matters on appeal is hereby submitted with the Notice of Appeal. Review of these identified matters by a panel of Examiners is requested because the rejections of record are clearly not proper and are without basis, in view of a clear legal and factual deficiency in the rejections. All rights to address additional matters on appeal in any subsequent appeal brief are hereby reserved.

Claims 1-3 and 5-18 are pending in this application, with claims 1 and 2 being independent. Claims 1-3 and 5-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over PCT Application Publication Number WO 02/19369, which corresponds to the U.S. Patent Number 6,891,331. Applicants specifically ask the panel to review the issue highlighted below. The following remarks reference the U.S. Patent Number 6,891,331 issued to Ashida (hereinafter "Ashida") because the PCT Application Publication Number WO 02/19369 was published in Japanese.

*Discussion of Issues*

**Ashida fails to describe or suggest a method of manufacturing a plasma display panel, wherein at least one of a display electrode, a black layer, an address electrode or a partition wall of the structures of the plasma display panel, in a process of forming the structure, is exposed using a *plurality* of photomasks with a same pattern and a different aperture width of an exposure part, with a different amount of exposure, as recited in claim 1.**

Claim 1 recites a method of manufacturing a plasma display panel, wherein a structure of the plasma display panel is formed with photolithography; and wherein at least one of a display electrode, a black layer, an address electrode or a partition wall of the structures of the plasma display panel, in a process of forming the structure, is exposed using a plurality of photomasks with a same pattern and a different aperture width of an exposure part, with a different amount of exposure. The exposure amount radiated from the light source when the exposure is made by a photomask with a longer aperture width is larger than an exposure amount radiated from the light source when the exposure is made by a photomask with a shorter aperture width.

Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 because Ashida, at a minimum, fails to describe or suggest a method of manufacturing a plasma display panel, wherein at least one of a display electrode, a black layer, an address electrode or a partition wall of the structures of the plasma display panel, in a process of forming the structure, is exposed using a *plurality* of photomasks with a same pattern and a different aperture width of an exposure part, with a different amount of exposure, as recited in claim 1 (emphasis added).

Ashida describes a method for manufacturing electrodes that can effectively suppress edge-curl when metal electrodes such as bus electrodes and data electrodes are patterned by a photolithography method. Ashida at Abstract. To do so, Ashida in one implementation, describes that the PDP structure is formed using two photomasks. Ashida at col. 8, line 40 to col. 9, line 5 and FIG. 5. In particular and referring to FIG. 5 of Ashida, a first photomask (53A)

having a width W1 is used to expose a metal electrode layer (A51) and a second photomask (53B) having a width W2 is used to expose a different metal electrode layer (B56) (emphasis added). *Id.*

In applying the plurality of photomasks (53A, 53B) to form the PDP structure, Ashida is completely different from claim 1. In particular and as noted above, Ashida uses the plurality of photomasks to expose a different metal electrode layer and not the same metal electrode layer (e.g., first photomask (53A) is used to expose metal electrode layer (A51) and second photomask (53B) is used to expose metal electrode layer (B56)).

As such, Ashida does not describe or suggest a method of manufacturing a plasma display panel, wherein at least one of a display electrode, a black layer, an address electrode or a partition wall of the structures of the plasma display panel, in a process of forming the structure, is exposed using a *plurality* of photomasks with a same pattern and a different aperture width of an exposure part, with a different amount of exposure, as recited in claim 1 (emphasis added).

In response, the Advisory Action asserts that Ashida discloses in at least FIG. 5 not two separate structures each being exposed with one photomask, but rather a single multilayer display electrode being exposed using multiple photomasks. *See e.g.*, Advisory Action at page 2, lines 5-6. Applicants disagree. As pointed out above, each of the plurality of photomasks in Ashida is used to expose a different metal electrode layer. Furthermore, Ashida states that when second photomask (53B) is used to expose metal electrode layer (B56), a cross-linking reaction from a top surface of metal electrode layer (B56) does not reach the bottom surface of the layer. *See e.g.*, Ashida at col. 9, lines 12-14. With this in mind, Applicants submit that the exposure using second photomask (53B) does not reach metal electrode layer (A51). Accordingly, each metal electrode layer (A51, B56) is exposed once.

As such, assuming for the sake of argument that the alleged single multilayer display electrode corresponds to a structure having metal electrode layer (A51) at the top portion, the metal electrode layer (A51) is exposed once via first photomask (53A) since the cross-linking reaction caused by exposing metal electrode layer (B56) through second photomask (53B) does not reach the bottom surface of metal electrode layer (B56) (e.g., the top surface of metal electrode layer (A51)). Alternatively, assuming for the sake of argument that the alleged single multilayer display electrode corresponds to a structure having metal electrode layer (B56) at the top portion, then this layer is only exposed once via second photomask (53B) since the prior exposure through first photomask (53A) was done prior to forming of metal electrode layer (B56). As can be seen, in either case, the alleged single multilayer display electrode is exposed only once.

Accordingly, Ashida fails to describe or suggest a method of manufacturing a plasma display panel, wherein at least one of a display electrode, a black layer, an address electrode or a partition wall of the structures of the plasma display panel, in a process of forming the structure, is exposed using a *plurality* of photomasks with a same pattern and a different aperture width of an exposure part, with a different amount of exposure, as recited in claim 1 (emphasis added).

For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1, along with its dependent claims. Claim 2 includes features similar to the above-recited features of claim 1. Therefore, for at least the reasons presented above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 2, along with its dependent claims.

Based on the foregoing remarks, withdrawal of the rejections and allowance of the application are believed to be appropriate and respectfully solicited.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Babak Akhlaghi
Limited Recognition No. L0250

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000
Facsimile: 202.756.8087
**Date: May 28, 2008**

**Please recognize our Customer No. 53080 as our correspondence address.**